

Justification for Editorial Package  
Child Care Nutrition Training  
Section 100 Changes (Editorial)

This is an editorial package to be filed pursuant to California Code of Regulations (CCR), Title 1, section 100. This regulatory change to CCR, Title 22, Division 12, Chapter 1, Child Care Centers sections 101182, 101215.1, 101216.1, 101615 and 101615.2 and Chapter 3, Family Child Care Homes section 102368 does not materially alter any requirement, right, responsibility, condition, prescription or other regulations of any CCR or Manual of Policies and Procedures (MPP) provision. This change will make these regulations consistent with an amended California statute, and when both the following conditions are met: 1) the regulations are inconsistent with and superseded by the changed statute and 2) the adopting agency, Community Care Licensing Division, has no discretion to adopt a change which differs in substance from the one chosen. In addition to the aforementioned changes, Sections 101216.1(i) and 101416.2(g) have been updated to remove unnecessary cross references to another section of regulation. The reference to the Health and Safety (H&S) Code are sufficient to provide clarity regarding the current requirements.

Assembly Bill 290, Chapter 734, Statutes of 2013 amended H&S Code section 1596.866. This amendment brought the total number of training hours required for Child Care Directors, Teachers and Licensees from 15 hours to 16 hours. Childhood nutrition must be the subject of the additional hour of training. Current regulations state only 15 hours of training are required for at least one director or teacher of child care centers and each licensee of family child care homes.

This provision is now superseded by the new statutory requirement. Under its own provisions the law went into effect for all licenses issued on or after January 1, 2016. The Child Care Licensing Program has no discretion to alter this statutory requirement and seeks to make an editorial change to Title 22 regulations in order to bring the regulations into compliance with current statute.